

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
Jorma Virtanen

Serial No.: 09/976,718

Filed: October 13, 2001

For: SPATIALLY ADDRESSABLE  
CLEAVABLE REFLECTIVE SIGAN  
ELEMENTS, ASSAY DEVICE AND  
METHOD

§ Art Unit: N/A  
§  
§ Examiner: N/A  
§  
§ Attorney Docket No.  
§ BTI1 96100451(USP2)USC2C1D1  
§  
§  
§  
§  
§

Commissioner of Patents  
Washington, D. C. 20231

Sir:

**ASSOCIATE POWER OF ATTORNEY**

Please recognize Guy Porter Smith, Registration No. 20,142, from the firm OPPENHEIMER WOLFF & DONNELLY, 2029 Century Park East, Suite 3800, Los Angeles, California 90067-3024, as associate attorney in the further prosecution of the above-identified application.

Please address all future correspondence to:  
Guy Porter Smith, Esq.  
OPPENHEIMER WOLFF & DONNELLY  
2029 Century Park East, Suite 3800  
Los Angeles, CA 90067-3024

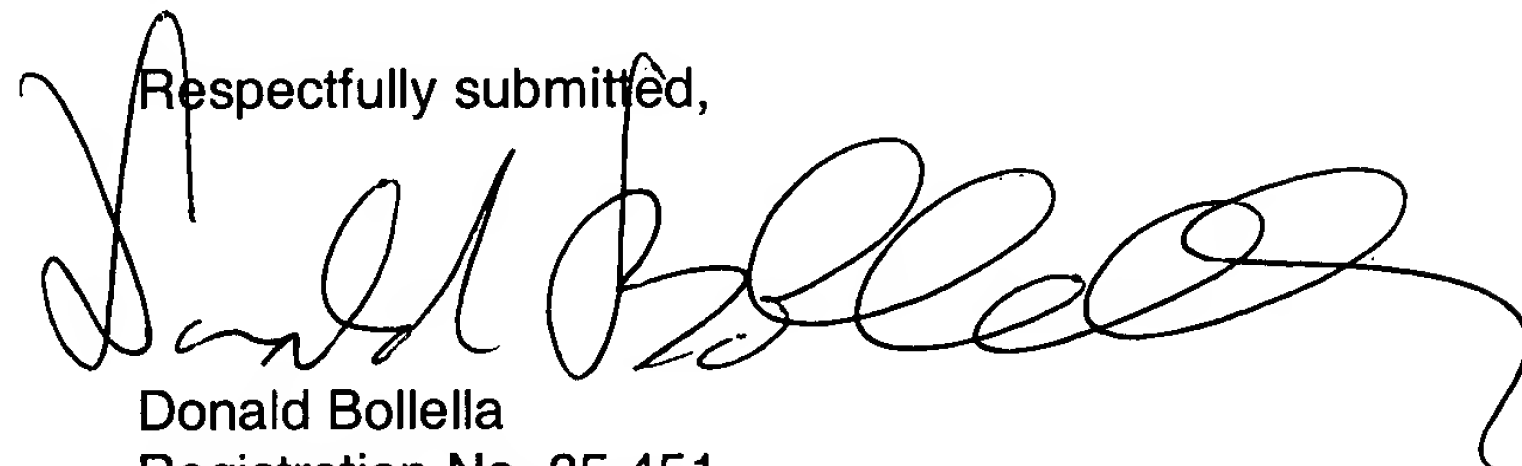
Direct all telephone calls to Guy Porter Smith at (310) 788-5000.

Applicant believes that no fee is required for filing this communication. The Commissioner is, however, hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-1781. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date:

*March 27, 2002*

  
Donald Bollella  
Registration No. 35,451

BURSTEIN TECHNOLOGIES, INC.  
LEGAL DEPARTMENT  
163 Technology Drive, Suite 200  
Irvine, California 92618  
Telephone: (949) 453-1800

# PATENT

## RECEIVED

APR 04 2002

**Art Unit: N/A**

Examiner: N/A

Attorney Docket Number:  
BT11 96100451(USP2)USC2C1D1

#5  
Plunkett  
4/15/02  
(NE)  
Already  
in sup.

**Assistant Commissioner of  
Patents and Trademarks  
Washington, D. C. 20231**

The undersigned, Richard Burstein, President of BURSTEIN TECHNOLOGIES, INC., hereby appoints Donald Bollella, Registration No. 35,451, of Burstein Technologies, Inc., Suite 200, Irvine, California 92618, telephone number (949) 453-1800, to prosecute this patent application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent.

As assignee of the entire interest of the above-identified application, all previous powers are hereby revoked.

Attached hereto in support of the above are:

- A) Request for Entry of Certificate Under 3.73(b);
- B) Certificate Under 3.73(b) listing the chain of ownership; and
- C) Relevant assignment from Jorma Virtanen to Burstein Laboratories, Inc.
- D) Name change document with certification by the Secretary of State

**CORRESPONDENCE INSTRUCTIONS**

Please direct all future correspondence to the following address:

Donald Bollella, Esq.  
BURSTEIN TECHNOLOGIES, INC.  
163 Technology Drive, Suite 200  
Irvine, CA 92618

Direct all telephone calls to Donald Bollella at (949) 453-1800.

Respectfully Submitted,  
BURSTEIN TECHNOLOGIES, INC.

Date: March 27, 2002

  
Richard Burstein  
President and CEO

BURSTEIN TECHNOLOGIES, INC.  
163 Technology Drive, Suite 200  
Irvine, CA 92618  
(949) 453-1800

# PATENT

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**TECH CENTER 1600/2900**

BTI1 96100451(USP2)USC2C1D1

[illegible]

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**CERTIFICATE UNDER 37 CFR 3.73(b)**

Applicant: Jorma Virtanen

Application No: 09/976,718 Filed: October 13, 2001

Entitled: **SPATIALLY ADDRESSABLE CLEAVABLE REFLECTIVE SIGNAL ELEMENTS, ASSAY  
DEVICE AND METHOD**

Burstein Technologies, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel     , Frame     , or for which a copy thereof is attached;

OR

B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: Jorma Virtanen To: Burstein Laboratories, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel 9119, Frame 0166, or for which a copy thereof is attached.

2. From: Burstein Laboratories, Inc. To: Burstein Technologies, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel 011597, Frame 0525, or for which a copy thereof is attached.

3. From:                                      To:                                       
The document was recorded in the Patent and Trademark Office at  
Reel             , Frame             , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**STATEMENT IN SUPPORT OF ASSIGNEE'S INTEREST**

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 27, 2002  
Date

Donald Bollella  
Chief Patent Counsel

4-998

APR 07 1998

04-28-1998



Form PTO-1286  
6-93 RECORDATION FORM  
PATENTS ONLY

100696785  
01296.0009.999

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Jorma Virtanen

Additional name(s) of conveying party(ies) attached? ☐ yes ☒ no

2. Name and address of receiving party(ies):

Name: Burstein Laboratories, Inc.

Street Address: 33601 Avenida Calita

City: San Juan Capistrano State: California

Zip Code: 92675-4971

Country: USA

Additional name(s) & address(es) attached? ☐ yes ☒ no

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date(s): April 2, 1998

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No(s). 08/888,935

B. Patent No(s).

Additional numbers attached? ☐ yes ☒ no

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: HOWREY & SIMON

Internal Address: Albert P. Halluin

Street Address: Box No. 34  
1299 Pennsylvania Ave, N.W.

City: Washington State: D.C. Zip Code: 20004-2402

6. Total number of applications and patents involved

1

7. Total fee (37 C.F.R. § 3.41).....\$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to Deposit Account

8. Deposit Account Number: 08-3038

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Albert P. Halluin (Reg. No. 25,227)

Name of Person Signing  
Registration No.

Signature

April 7, 1998

Date

Total number of pages including cover sheet, attachments and document 3

OMB NO. 0651-C011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

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PATENT  
REEL: 9119 FRAME: 0166

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: Jorma Virtanen the undersigned hereby sell(s) and assign(s) Burstein Laboratories, 33601 Avenida Calita, San Juan Capistrano, California 92675, USA (the Assignee) his/her entire right, title and interest

check applicable box(es) ☒: for the United States of America (as defined in 35 U.S.C. § 100),  
☒: and throughout the world.

in the invention(s) known as Spatially Addressable, Cleavable Reflective Signal Elements, Assay Device and Method for which application(s) for patent in the United States of America has (have) been executed by the undersigned on April 2, 1998 (also known as United States Application No. 08/888,935, filed July 7, 1997), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, including all claims, if any, that may have arisen for infringement prior to the date of this assignment, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby grant(s)

Jeffrey I. Auerbach, Reg. No. 32,680  
 Melvin L. Barnes, Jr. Reg. No. 38,375  
 Thane Bauz, Reg. No. P41,604  
 Michael J. Bell, Reg. No. 39,604  
 John A. Bendrick, Reg. No. P41,612  
 Mark R. Buscher, Reg. No. 35,006  
 Celine T. Callahan, Reg. No. 34,301  
 Cono A. Carrano, Reg. No. 39,623  
 James F. Davis, Reg. No. 21,072  
 Thomas M. Dunham, Reg. No. 39,965  
 Joel M. Freed, Reg. No. 25,101  
 Vernon Randall Gard, Reg. No. 33,886  
 Alan M. Grimaldi, Reg. No. 26,599  
 Alexander J. Hadjis, Reg. No. 36,540  
 Albert P. Halluin, Reg. No. 25,227  
 Michael N. Haynes, Reg. No. 40,014  
 Rouget F. Henschel, Reg. No. 39,221  
 Leslie L. Jacobs, Jr., Reg. No. 40,659

Richard H. Kjeldgaard, Reg. No. 30,186  
 Joseph P. Lavelle, Reg. No. 31,036  
 David R. Marsh, Reg. No. 41,408  
 Kevin W. McCabe, Reg. No. 41,182  
 Joseph A. Micallef, Reg. No. 39,772  
 Anthony D. Miller, Reg. No. 34,394  
 Karen L. Nicastro, Reg. No. 35,968  
 Bradley J. Olson, Reg. No. 40,750  
 Russell O. Paige, Reg. No. P40,758  
 Stephen J. Pentlicki, Reg. No. 40,125  
 Andrew Y. Platinicia, Reg. No. 40,772  
 Andrea G. Relster, Reg. No. 36,253  
 Stephen J. Rosenman, Reg. No. 29,209  
 David P. Ruschke, Reg. No. 40,151  
 Timothy L. Scott, Reg. No. 37,931  
 Anthony W. Shaw, Reg. No. 30,104  
 J. David Smith, Reg. No. 39,839  
 Michael J. Songer, Reg. No. 39,841

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of HOWREY & SIMON, BOX NO. 34, 1299 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20004-2402, power to insert in this Assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Date: 4/2/98 Signature of Inventor: Jorma Virtanen  
Jorma Virtanen

Date: \_\_\_\_\_ Signature of Inventor: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of Inventor: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of Inventor: \_\_\_\_\_

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(Rel. 11/91 P. 5.603)

FORM 16-5

16-27

05-23-2001



101696404

Form PTO-1585  
(Rev. 6-99)

OMB No. 0551-0011 (exp. 6/94)

RECORDATION FORM COVER SHEET  
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Patent and Trademark Office

Tab settings □ □ □ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Burstein Laboratories, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

## 2. Name and address of receiving party(ies)

Name: Burstein Technologies, Inc.

Internal Address: \_\_\_\_\_

Street Address: Suite 200

163 Technology Dr.

City: Irvine State: CA Zip: 92618

Additional name(s) & address(es) attached? ☐ Yes ☐ No

## 3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☒ Change of Name☐ Other \_\_\_\_\_

Execution Date: January 20, 2000

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

(see attached list)

Additional numbers attached? ☒ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Guy Porter Smith

Internal Address: \_\_\_\_\_

Oppenheimer Wolff &amp; Donnelly LLP

Street Address: 2029 Century Park East  
38th Floor

City: Los Angeles State: CA Zip: 90067

## 6. Total number of applications and patents involved:

23

## 7. Total fee (37 CFR 3.41).....\$ 920.00

☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number:

16-2230

(Attach duplicate copy of this page if paying by deposit account)

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Charge 120

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Guy Porter Smith

Name of Person Signing

Signature

5-22-01

Date

Total number of pages including cover sheet, attachments, and document:

2

Mail documents to be recorded with required cover sheet information to:  
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Washington, D.C. 20231

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 29, 2001

PTAS

OPPENHEIMER WOLFF & DONNELLY LLP  
GUY PORTER SMITH  
2029 CENTURY PARK EAST  
38TH FLOOR  
LOS ANGELES, CA 90067

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/22/2001

REEL/FRAME: 011597/0525  
NUMBER OF PAGES: 8

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BURSTEIN LABORATORIES, INC.

DOC DATE: 01/20/2000

ASSIGNEE:

BURSTEIN TECHNOLOGIES, INC.  
163 TECHNOLOGY DR.  
SUITE 200  
IRVINE, CALIFORNIA 92618

SERIAL NUMBER: 60150288  
PATENT NUMBER:

FILING DATE: 08/23/1999  
ISSUE DATE:

SERIAL NUMBER: 09643106  
PATENT NUMBER:

FILING DATE: 08/21/2000  
ISSUE DATE:

SERIAL NUMBER: 09269092  
PATENT NUMBER:

FILING DATE: 03/18/1999  
ISSUE DATE:

SERIAL NUMBER: 09183842  
PATENT NUMBER:

FILING DATE: 10/30/1998  
ISSUE DATE:

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SERIAL NUMBER: 60134368  
PATENT NUMBER:

FILING DATE: 05/14/1999  
ISSUE DATE:

SERIAL NUMBER: 09421870  
PATENT NUMBER:

FILING DATE: 10/26/1999  
ISSUE DATE:

SERIAL NUMBER: 09419407  
PATENT NUMBER:

FILING DATE: 10/15/1999  
ISSUE DATE:

SERIAL NUMBER: 09064636  
PATENT NUMBER: 6030581

FILING DATE: 04/21/1998  
ISSUE DATE: 02/29/2000

SERIAL NUMBER: 08627695  
PATENT NUMBER: 5997861

FILING DATE: 03/29/1996  
ISSUE DATE: 12/07/1999

SERIAL NUMBER: 08424874  
PATENT NUMBER: 5718915

FILING DATE: 04/19/1995  
ISSUE DATE: 02/17/1998

SERIAL NUMBER: 09263972  
PATENT NUMBER:

FILING DATE: 03/05/1999  
ISSUE DATE:

SERIAL NUMBER: 09120049  
PATENT NUMBER:

FILING DATE: 07/21/1998  
ISSUE DATE:

SERIAL NUMBER: 09139213  
PATENT NUMBER: 6196979

FILING DATE: 08/24/1998  
ISSUE DATE: 03/06/2001

SERIAL NUMBER: 09311329  
PATENT NUMBER:

FILING DATE: 05/11/1999  
ISSUE DATE:

SERIAL NUMBER: 60150287  
PATENT NUMBER:

FILING DATE: 08/23/1999  
ISSUE DATE:

SERIAL NUMBER: 08888935  
PATENT NUMBER:

FILING DATE: 07/07/1997  
ISSUE DATE:

SERIAL NUMBER: 09378878  
PATENT NUMBER:

FILING DATE: 08/23/1999  
ISSUE DATE:

SERIAL NUMBER: 09632113  
PATENT NUMBER:

FILING DATE: 08/03/2000  
ISSUE DATE:

SERIAL NUMBER: 09363929  
PATENT NUMBER:

FILING DATE: 07/29/1999  
ISSUE DATE:

SERIAL NUMBER: 09407705  
PATENT NUMBER:

FILING DATE: 09/28/1999  
ISSUE DATE:

SERIAL NUMBER: 09566056  
PATENT NUMBER:

FILING DATE: 05/05/2000  
ISSUE DATE:

SERIAL NUMBER: 09394137  
PATENT NUMBER:

FILING DATE: 09/10/1999  
ISSUE DATE:

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011597/0525 PAGE 3

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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State of Delaware

PAGE 1

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "BURSTEIN LABORATORIES, INC.", CHANGING ITS NAME FROM "BURSTEIN LABORATORIES, INC." TO "BURSTEIN TECHNOLOGIES, INC.", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF JANUARY, A.D. 2000, AT 6 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

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2519137 8100

001048681

  
Edward J. Freel, Secretary of State

0231347

AUTHENTICATION:

02-02-00

DATE:

Received Time Jan. 8. 11:15AM

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION**

**Burstein Laboratories, Inc.**

Burstein Laboratories, Inc., a corporation, organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

**DOES HEREBY CERTIFY:**

**FIRST:** That the Board of Directors of said corporation, at a meeting duly held, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

**RESOLVED,** that the Amended Certificate of Incorporation of Burstein Laboratories, Inc. be amended by changing the First Article thereof so that, as amended, said Article shall be and read as follows:

The name of this corporation shall be Burstein Technologies, Inc.

**SECOND:** That in lieu of a meeting and vote of stockholders, the stockholders have given written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware and written notice of the adoption of the amendment has been given as provided in Section 228 of the General Corporation Law of the State of Delaware to every stockholder entitled to such notice.

**IN WITNESS WHEREOF,** said Burstein Laboratories, Inc. has caused this certificate to be signed by Ed Deese its Secretary, this 20<sup>th</sup> day of January, 2000.

By: Ed Deese

Ed Deese, Secretary

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